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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/540,776	03/31/00	HOY	S HOY-00103/03

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IM22/0824

EXAMINER

BHAT, N

ART UNIT

PAPER NUMBER

1761

15

DATE MAILED:

08/24/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

THE REQUEST FOR SUSPENSION OF ACTION UNDER 37 CFR 1.103 HAS BEEN APPROVED. THE SUSPENSION OF ACTION WILL TERMINATE 06 MONTHS AFTER DATE THE REQUEST FOR SUSPENSION OF ACTION WAS FILED.

Art Unit: 1761

### NOTICE OF SUSPENSION

The Protest, filed June 20, 2001 as paper no. 13, is duly noted. The Protest includes a copy of a Motion for Summary Judgment of Patent Invalidity which has been filed in Case No. 00-72308, US District Court, Eastern District of Michigan. The US District Court involves US Patent no. 6,063,412, issued May 16, 2000, based on US appl. No. 08/817,278, filed August 6, 1996. The present application is a continuation of 08/817,278, now US 6,063,412.

The applicant's Facsimile Transmission of July 23, 2001, paper no. 14, also is duly noted. The Facsimile Transmission includes a copy of the Plaintiff's Opposition to Defendant's Motion for Summary Judgment and Proposed Conclusions of Law which has been filed in the same US District Court case. The Plaintiff in that lawsuit is the inventor in this application.

Determination of the issues in the Motion for Summary Judgment of the lawsuit may have a direct bearing on the patentability of the claims in the present application.

Accordingly, *ex parte* prosecution is **SUSPENDED FOR A PERIOD OF 6 MONTHS** from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

All further inquiries should be made to the Examiner, Nina Bhat. Her telephone number is (703) 308-3879. Her Supervisor, Milton Cano, may be reached at (703) 308-3959.

August 10, 2001

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